IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1154 OF 2006

1. Sangram G. Suryawanshi & 7 ors.] .. Petitioners

Versus

1. The State of Maharashtra & Anr.] .. Respondents

Mr. V.S. Kapse for the petitioners.

Ms. Deepa Chavan i/b M/s. Little & Co. for the respondent No.2.

Mr. U.S. Upadhyay i/b Mr. S.G. Surana for the applicant in Chamber Summons No.48 of 2006.

CORAM: R.M. LODHA, &
SMT. NISHITA MHATRE, JJ.

DATED: 08TH JANUARY, 2007

P.C. :

. Heard.

2. The grievance of the petitioners in this Writ Petition is that the Appeal preferred under Section 44(2) of the Maharashtra Industrial Development Act, 1961 by the petitioners on 9th May, 2005 still remains pending before the competent authority.

3. We find from the available material that the petitioners earlier filed Writ Petition before this

Court being Writ Petition (Lodg.) No.548 of 2005 challenging the order of the Administrator and Divisional Commissioner, Konkan Division, Mumbai passed on 3rd August, 2004. The said Writ Petition was withdrawn as the petitioner desired to file an Appeal from that order under Section 44(2) of the Maharashtra Industrial Development Act, 1961. The Writ Petition was accordingly disposed of as withdrawn on 15th March, 2005. Thereafter, the Appeal was preferred by the petitioners under Section 44(2) of the Maharashtra Industrial Development Act, 1961. The petitioners' grievance is justified that though the Appeal has been pending for more than one and half years, no progress is known.

4. In the circumstances we dispose of the Writ Petition by the following order.

(i) The competent authority established under the Maharashtra Industrial Development Act, 1961, shall hear and decide the Appeal preferred by the petitioners under Section 44(2) of the Maharashtra Industrial Development Act, 1961, expeditiously and in no case later than 30th April, 2007.

(ii) Since the respondent No.2 is represented by counsel, we direct the counsel to intimate the competent authority about this order without delay.

Sd/-
[R.M. LODHA, J.]

Sd/-
[SMT. NISHITA MHATRE, J.]